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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------------|------------------|
| 09/734,192 | 12/12/2000 | Kazuhiko Tomita | 1344.1051/JDH | 4249 |
| 21171 7590 01/18/2007 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | EXAMINER WINTER, JOHN M | |
| | | | ART UNIT 3621 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE | | MAIL DATE | DELIVERY MODE | |
| 3 MONTHS | | 01/18/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/734,192

Applicant(s)

TOMITA, KAZUHIKO

Examiner

John M. Winter

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13,17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Status

Claims 13,17 and 18 remain pending.

Response to Arguments

The Applicant's arguments filed on October 27, 2006 have been fully considered but are not persuasive in view of consideration of Abbruzzese et al., (US Patent No 5,557,515).

The Applicant states that the amended feature of "based on a predetermined number of said retrieved repudiation reasons for the task and the user" is not disclosed in the prior art record

The Examiner responds that Abbruzzese et al., discloses a feature of a diary alert message (in regard to claim processing) that sends an alert to a manager when one of several conditions (including exceeding a time period or number of entries) is met, the examiner contends that this is analogous to the claimed feature of "based on a predetermined number of said retrieved repudiation reasons for the task and the user"

See following rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims recite the limitation "tasks to be electronically processed..." this limitation is vague and indefinite, since actions to be performed are not a positive claim limitation.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nummelin et al (US Patent 6,308,164) in view of Abbruzzese et al., (US Patent No 5,557,515).

As per claim 13,

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Nummelin et al ('164) discloses A method of electronically authorizing or repudiating an electronically processed task, comprising:

storing a plurality of elements forming tasks to the electronically processed into a database subsequent to an electronic authorization or repudiation;(Column 7, lines 24-37 [validating information input into specific fields.... Input or update project data])

each of the said plurality of elements including a user identifier requesting authorization and /or repudiation reasons. (Figure 2, Column 8, lines 37-59 [the secondary field values may include designation of a organizational department])

retrieving said database for a task including elements forming the task to be electronically authorized and for the user requesting authorization of said task.(Column 6, lines 37-49 [retrieves status reports for designated operators of equipment i.e authorizer of the task.])

Nummelin et al ('164) does not explicitly disclose “displaying retrieved repudiation reasons for the task and retrieved repudiation reasons for the user wherein a user authorizing the task is provided with information indicative of which elements forming the task to be electronically authorized should be reviewed” Abbruzzese et al ('515) discloses “displaying retrieved repudiation reasons for the task and retrieved repudiation reasons for the user wherein a user authoring the task is provided with information indicative of which elements forming of the task to be electronically authorized should be reviewed “. (Figure 9A, column 64, lines 56-67, column 65, lines 1-67 [the diary function shows alerts for items that need processing, table LVII has a field for “reason” i.e. repudiation reason.]), based on a predetermined number of said retrieved repudiation reasons for the task and the user (Column 65 – lines 29-67) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Nummelin et al ('164) method with the Abbruzzese et al ('515) method in order to detect when a case needs additional managerial attention.

Claims 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nummelin et al (US Patent 6,308,164) in view of Abbruzzese et al., (US Patent No 5,557,515).

A method of electronically authorizing or repudiating an electronically processed task, comprising:

Associating elements forming completed tasks with a user requesting authorization or repudiation reasons with respect to the completed tasks;(Column 7, lines 24-37 [validating information input into specific fields.... Input or update project data])

Nummelin et al ('164) does not explicitly disclose “indicating elements of a new electronically processed task presented by the user for focus of review in accordance with the association of the elements forming the completed tasks corresponding to the user” Abbruzzese et al ('515) discloses “indicating elements of a new electronically processed task presented by the user for focus of review in accordance with the association of the elements forming the completed tasks corresponding to the user (Figure 30) and based on a predetermined number of repudiation reasons (Column 65-- lines 29-67)” It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Nummelin et al ('164) method with the Abbruzzese et al ('515) method in order to detect when a case needs additional managerial attention.

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Claim 18 is in parallel with claim 17 with parts that are duplicated and since the duplication of parts does not merit patentability claim 18 is rejected for at least the same reasons as claim 17.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Winter whose telephone number is (571) 272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



John Winter
Patent Examiner -- 3621



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